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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 UNITED STATES OF AMERICA,)

8 Plaintiff,)

9 v.)

10 JASON MICHAEL DOUGLAS HICKOK,)

11 Defendant.)
12

Case No. CR03-542 MJP

**PROPOSED FINDINGS OF FACT AND
DETERMINATION AS TO ALLEGED
VIOLATIONS OF SUPERVISED
RELEASE**

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on June 30,
15 2009. The defendant appeared pursuant to a warrant issued in this case. The United States was
16 represented by William H. Redkey, Jr., and defendant was represented by Terrence Kellogg.
17 Also present was U.S. Probation Officer Jennifer Tien. The proceedings were digitally recorded.

18 SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on October 15, 2004 by the Honorable Marsha J. Pechman for
20 Possession of a Firearm by a Convicted Felon and Conspiracy to Steal Mail. He received 63
21 months imprisonment and 3 years of supervised release.

22 1. On October 10, 2008, Mr. Hickok was released from BOP to begin his term of
23 supervised release. Since his placement on supervision, the probation office has filed two

PROPOSED FINDINGS OF FACT AND
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SUPERVISED RELEASE -1

1 violation reports including one no action report and one consented modification for Mr. Hickok's
2 cocaine and methamphetamine use. In response to Mr. Hickok's noncompliance, he has been
3 reprimanded, referred for services, and presented with intermediate sanctions. Most recently, Mr.
4 Hickok signed a consented modification in which he agreed to a 60-day home confinement
5 placement. The implementation of this sanction remains pending. Mr. Hickok's full term
6 expiration date is scheduled for October 9, 2011.

7 PRESENTLY ALLEGED VIOLATIONS AND
8 DEFENDANT'S ADMISSION OF THE VIOLATION

9 In a petition dated June 23, 2009, U.S. Probation Officer Michael J. Larson alleged that
10 defendant violated the following conditions of supervised release:

- 11 1. Using cocaine on or before April 19, April 29, May 4, May 7, May 18, May 19, and
12 June 7, 2009; in violation of standard condition number seven.
- 13 2. Using amphetamine/methamphetamine on April 19, May 4, May 7, June 7, and June
14 21, 2009; in violation of standard condition number seven.
- 15 3. Failing to report to the probation office for drug testing on May 14 and June 8, 2009,
16 in violation of the special condition requiring his participation in a program approved by the
17 probation office for treatment of narcotic addiction, drug dependency, or substance abuse, which
18 may include testing to determine if he has reverted to the user of drugs or alcohol.

19 Defendant admitted the above violations, waived any hearing as to whether they occurred,
20 and was informed the matter would be set for a disposition hearing July 15, 2009 at 9:30 a.m.
21 before District Judge Marsha J. Pechman.

22 RECOMMENDED FINDINGS AND CONCLUSIONS

23 Based upon the foregoing, I recommend the court find that defendant has violated the

1 conditions of his supervised release as alleged above, and conduct a disposition hearing.

2 DATED this 30th day of June, 2009.

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5 BRIAN A. TSUCHIDA
6 United States Magistrate Judge
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